

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Conference Call Board Meeting
January 12, 2012
Professional Licensing Boards
237 Coliseum Drive
Macon, GA 31217
8:00a.m.

The following Board members were present:	Others Present:
Karen Mathiak D.C. Greg Baker, D.C. Chris Nelson, D.C. David Wren, D.C. Ms. Emily Campbell	Amy Morelli, Board Attorney Anita Martin, Executive Director Carol White, Board Secretary

Open Session

Dr. Mathiak established that a quorum was present and the meeting that was scheduled to begin at 8:00 a.m., was called to order at 8:00 a.m.

Minutes from the December 15, 2011 Board meeting - Dr. Baker made a motion to approve. Dr. Wren seconded the motion and it carried unanimously.

Ratify Licenses – Ms. Campbell made a motion to approve the ratified license list. Dr. Nelson seconded the motion and it carried unanimously.

Rule Waiver request from Daniel J. Musser re:

- Board Rule 100-5-.02 – Approval of Educational Programs
- Board Rule 100-2-.08 – Inactive License
- Board Rule 100-2-.09 – Reinstatement of Expired License

Dr. Nelson made a motion to deny the rules waiver request. The Board states it will consider this issue further upon receipt of a transcript of his medical school coursework. Dr. Baker seconded the motion and it carried unanimously.

Consideration of Amended Reinstatement Policy from December 15, 2011 Board meeting - Dr. Wren made a motion to approve. Dr. Nelson seconded the motion and it carried unanimously.

The amended policy states:

For licensees that state that they **have been practicing** without a license since the date that the license lapsed are reinstated with a public consent order citing the dates of the unlicensed practice; a \$1,000 fine to be paid within 60 days of the effective date of the order; 3 years probation, and/or at the board's discretion, additional continuing education as specified by the Board.

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Discussion of Manipulation Under Anesthesia - The board discussed the updated information and voted to send the information to Dr. Alpert and ask for him to come discuss the information further with the Board at the Board meeting in March 2012.

Correspondence from David Henshaw, D.C., re: consent order, docket number 2011-0059 - Dr. Baker made a motion to refer this matter to the Attorney General's office for an amended consent order allowing practice outside of Georgia to count toward his probationary period. The Board also advised Dr. Henshaw that if he voluntarily surrenders his license the consent order remains as a part of his public record. Dr. Wren seconded the motion and it carried unanimously.

Request from Douglas March, D.C. Faculty Clinician Life University to amend Rule 100-5-.02 Approval of Educational Programs -

Dr. Nelson made a motion to post an amendment to Board Rule 100-5-.02 – Approval of Educational Programs. Dr. Wren seconded the motion and it carried unanimously.

Board Rule 100-5-.02(1)(g)

Up to eight (8) hours of continuing education in clinical sciences may be obtained per year by teaching clinical or chiropractic sciences courses at any CCE-accredited college or school. These hours shall be awarded in writing by the course director at the college or school.

Open records request from The Bunvasaranand Law Firm, P.C. to Legal Department re: CHIR006264, Christopher Larry Waters -

Dr. Wren made a motion to deny. Dr. Nelson seconded the motion and it carried unanimously.

Executive Director's Open Session – Ms. Anita Martin

- Ms. Martin shared with the Board she will be retiring effective March 30, 2012.
- Ms. Martin provided the Board with correspondence regarding the NBCE delegate.

EXECUTIVE SESSION

Dr. Nelson made a motion, Dr. Baker seconded, and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-1-19(h)(2), 43-11-47(h) and §43-1-2(k) to deliberate on applications and enforcement matters and to receive information on applications, investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Wren, and Ms. Emily Campbell. The Board concluded the **Executive Session** in order to vote on these matters and continue with the public session.

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Applications:

1. L.J.T. – Chiropractic Application – The Board recommended scheduling this applicant for an appointment at the next Board meeting.

Miscellaneous -

The Board reviewed the Final Decision on Rick Kuhlman, D.C. and the request from Fran Cullen, Dr. Kuhlman's attorney. Mr. Dean was on teleconference to advise the Board on this issue. The Board recommended denial of the Motion to Reconsider Verbal Determination Prior to Entry of the Final Decision on Dr. Rick Kuhlman. The Board recommended denial of the Motion to Amend the Final Decision on Dr. Rick Kuhlman. The Board recommended adopting the Final Decision as written on Dr. Rick Kuhlman.

Attorney General's Report – Ms. Amy Morelli

- Ms. Morelli updated the board on the cases in her office.
- Ms. Morelli recommended amending the draft consent order adding a \$500.00 fine for falsifying renewal application to Consent Order for H.P.W.,D.C. If the D.C. will not sign the amended consent order, he can have an updated evaluation for the Board's further consideration.

Open Session

Dr. Baker motioned, Dr. Wren seconded and the Board voted to approve the recommendations made in Executive Session.

Ms. Campbell made a motion to adjourn, Dr. Wren seconded the motion and it carried unanimously.

The Board meeting adjourned at 9:25 a.m.

Minutes recorded by:

Carol White, Board Support Specialist

Minutes reviewed and edited by:

Anita O. Martin, Executive Director